

Clerk of Court
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Suite 2300
Boston, MA 02210

FILED
CLERKS OFFICE
2005 MAY 23 P 2:59
U.S. DISTRICT COURT
DISTRICT OF MASS.

Sir/Madam,

I appear to be getting stonewalled in my efforts to rectify a filing error by the U.S. District Court of Boston- such efforts made both via telephone and via email.

The basic issue: the Court has issued the same docket number to two separate cases: one which never existed but which is on the docket, and one which does exist but is not on the docket.

On March 29, 2005, the Court filed, stamped, sealed, and dated **original complaint Robert. J. Gallagher, Plaintiff, v. NewPharm.net, RalphJordan@NewPharm.net, Defendants**, as Civil Number 05 10612 DPW. Robert J. Gallagher (the party addressing this memo) signed as pro se Plaintiff. (See Gallagher, Exhibit A under separate email.) The Court also accepted and cashed a filing fee check for \$250.

On the same date, the same Court issued, stamped, sealed, and dated a **Summons in a Civil Case** for the very same complaint. (See Gallagher, Exhibit B under separate email.)

On May 2, 2005, Plaintiff caused the same complaint and summons to be served by **ABC Legal Service, Inc.** on the Defendants for a \$250 fee via the only address known, i.e., email, as defendants refused to disclose business address after repeated requests for such and after **Request to Waive Service of Process** to economize process. ABC Legal Service, Inc. offered to locate physical address of the internet business for a fee of \$5,000 but Plaintiff found this unaffordable. (See Gallagher, Exhibit C and Exhibit D under separate email.)

On May 10, 2005, this same Court replied to Plaintiff's Motions with **Court's Order on Motions** but referred to Civil Number 05 10612 DPW as a totally different case, i.e., **Gallagher v. Citizens Bank of Massachusetts**. Plaintiff had originally attempted to file such a complaint but enclosed \$150 instead of \$250. The Court had sent back the check as insufficient filing fee. Subsequently, Plaintiff did not remit \$250 and did not pursue that case.

As a result of the Court's records, as indicated by the May 10, 2005 **Court's Order on Motions**, Plaintiff finds himself in the following position: (EX. E)

(1) The Court docket contains a complaint against **Citizens Bank**, a complaint which ought not exist;

(2) The Court docket contains no complaint against **NewPharm.net Pharmacy** ... despite the fact that Plaintiff has paid \$250 to file such and despite the fact that the Court itself has filed, dated, stamped, and sealed a complaint against such defendant;

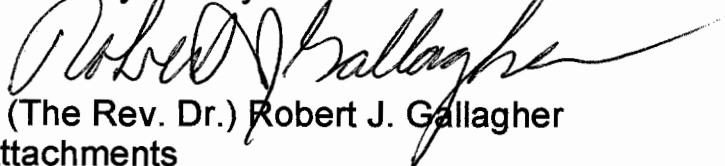
(3) The Court docket contains no complaint against **NewPharm.net Pharmacy** ... despite the fact that Plaintiff has *already* caused the most

effective Service of Process he can provide at the expense of \$250;

(4) The May 10, 2005 ***Court's Order on Motions*** leaves both the Plaintiff and the Court itself with a dilemma, i.e., the ruling was made on a Plaintiff Motion regarding *Service of Process*. The facts regarding *serving* a well-advertised bank are radically different from the facts of *serving* an internet business which refuses to disclose its business address, which hides behind an internet address, and which refuses to respond to a *Request for Waiver of Service of Process*. For the Plaintiff to pay \$5,000 to physically locate such a business hardly seems conscionable in light of the alternate ways in which an obscure inter-state business could be held accountable, i.e., electronic, publication ... But this issue cannot be addressed further in light of the fact that **the same docket number** has been assigned to **two separate cases**: one which never existed but which is *on the docket*, and one which does exist but is *not on the docket*.

Plaintiff is not seeking legal advice from the Court. Plaintiff requires guidance from the Court for an administrative remedy that does not waste \$250 filing fee and \$250 Service of Process- and which does not jeopardize the Complaint that he pursues against **NewPharm.net Pharmacy** ... This is in keeping with the Court's history and policy of expediting matters and of economizing expenses.

Thank you for your attention in this matter.

A handwritten signature in black ink, appearing to read "Robert J. Gallagher", with a long, sweeping horizontal line extending to the right.

(The Rev. Dr.) Robert J. Gallagher

Attachments

Subj: **GALLAGHER- 05 10612 Exhibit A**
Date: 5/18/05 9:29:33 A.M. Eastern Daylight Time
From: Revdrbob
To: USDC-BostonInfo@mad.uscourts.gov
CC: ECFhelp@mad.uscourts.gov

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FILED
U.S. District Court
District of Massachusetts
JUN 29 A 10:47
U.S. DISTRICT COURT
DISTRICT OF MASS

Robert J. Gallagher
Plaintiff

Civil No. 05 10612

v.
NewPharm.net
RalphJordan@NewPharm.net
Defendant

Jury Trial Demanded

Complaint

Now comes the Plaintiff (P) and states the following:

- (1) P is Robert J. Gallagher of 688 Boston Post Rd. East, Unit 103, Marlborough MA 01752.
- (2) P is a Massachusetts State-Certified Educator in Administration, Middle School, Elementary School, Math, English, Social Studies, and Latin.
- (3) P is an Episcopal Priest in good-standing with the Episcopal Diocese of Massachusetts.
- (4) P holds degrees of Doctor of Law (J.D.) '88, Doctor of Ministry '86, Master of Divinity '81, Master of Arts in U.S. History '77, Master of Education '66, and Bachelor of Arts '63.
- (5) Defendant (D) NewPharm.net is a licensed Pharmacy advertising "dedicated to bringing you the lowest prices on FDA Approved Medications" with "free online prescriptions, 24/7 customer care, and worldwide free shipping."
- (6) More specifically, D is RalphJordan@NewPharm.net who communicated with P via both telephone and inter net email.
- (7) P ordered \$314 worth of medication online from NewPharm.net on February 8, 2005.
- (8) P canceled order within hours when he realized that medication ordered conflicted with blood pressure medication already prescribed.
- (9) Pharmacy still sent medications.
- (10) P, upon notification to UPS, allowed time to run out for delivery so UPS would return package to seller unopened.
- (11) P was charged \$314 on VISA card.
- (12) P contacted pharmacy frequently for credit.

Wednesday, March 23, 2005 America Online: Revdrbob

Subj: **GALLAGHER- 05 10612 Exhibit B**
Date: 5/18/05 9:34:10 A.M. Eastern Daylight Time
From: Revdrbob
To: USDC-BostonInfo@mad.uscourts.gov
CC: ECFhelp@mad.uscourts.gov

U.S. District Court for the District of Massachusetts
District of MASSACHUSETTS


ROBERT J. GALLAGHER
PLAINTIFF
v.
(SERVICE @)
NEWPHARM.NET
RALPH JORDAN @
NEWPHARM.NET
DEFENDANTS

CASE NUMBER:
05 10612 DPW

TO: (Name and address of Defendant)
DEFENDANTS REFUSE TO PROVIDE BUSINESS ADDRESS & MAILING ADDRESS
FOR SERVICE OF PROCESS DESPITE FULL DISCLOSURE DEMANDS.
∴ EMAIL ADDRESSES VIA WHICH BUSINESS WAS CONDUCTED.
NEWPHARM.NET AND RALPHJORDAN@NEWPHARM.NET
YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF's and to appear and answer:
ROBERT J. GALLAGHER
688 BOSTON POST RD.
UNIT 103
MANTLBOROUGH MA 01752

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

SARAH A. THORNTON
CLERK
MAR 2 - 2005
DEPUTY CLERK



Subj: GALLAGHER- 05 10612 Exhibit C
Date: 5/18/05 9:37:31 A.M. Eastern Daylight Time
From: Revdrbob
To: USDC-BostonInfo@mad.uscourts.gov
CC: ECFhelp@mad.uscourts.gov

U.S. DISTRICT COURT DISTRICT OF MASSACHUSETTS

ROBERT J. GALLAGHER

Paul H. Packer

Call # 05 10812 DPW

NEWPHARM.NET
RALPH.JORDAN@NEWPHARM.NET

Defendant's Response

**Declaration of Service of:
SUMMONS IN A CIVIL CASE: COMPLAINT**

Meeting Dates:

Dec 28, 07.

The undersigned hereby certifies that this, in and of itself, is a true and correct statement, a citizen of the United States and a resident of the State of New York, and an officer of a public corporation, set a party in for mentioned in the above and/or action, and a commitment to be a witness therein.

Case Administration: May 2 2016 3:09PM

6. Discussion

within the County of

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The calculated self served the above chemical formulae in the system

NEWPHARM.NET AND RALPH JORDAN@NEWPHARM.NET

by then and there certainly, bearing 1 two and several copies, I have it, the printing in and having been at work

VIA E-MAIL TO THE FOLLOWING ADDRESSES: RALPHJORDAN@NEWPHARM.NET; SERVICE@NEWPHARM.NET;
 CLIVE@WALLCANN.COM; AFFILIATES@NEWPHARM.NET; LINLEY@WALLCANN.COM; MELISSA@WALLCANN.COM

No information was provided that indicates that the subjects served as members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Texas, that the foregoing is true and correct.
 Executed May 15, 2018 at San Jose, USA

R. Beled KCHW9202999

The documents listed above were served in accordance with Rule 4.01(2)(3) of the Rules of the Court. If service was effected on another person or left with a person of sufficient age to receive the documents, it is a condition upon which ADR Legal Services, Inc. is making this delivery of documents to serve, same by mail or in person as required. If service was not effected on the person named in Rule 4.01(2)(3), the documents are being delivered to the last day where a copy of the documents was received in the past or the address where service was made. Documents were not mailed by ADR Legal Services, Inc.

Service Prices

Document#	003	Searches#	0.00	Other	0.00
Level	003	Postage	0.00	Total	250.00
Inward Address (C)	003	Photo	0.00	Per-Paid Retainer	0.00
Proof - Registration	003	Rush / Special	200.00		
Summons Copy	003	Wash State Cut Time	0.00	AMOUNT DUE	250.00

Client Ref:
G-nicollaresos
(Unknown)
(Unknown), WA 35104
000 000-0000

CLIENT COPY
PROOF OF SERVICE

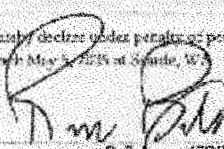

Page 3 of 1

435 Legal Services, Inc.
915 1st Ave. Seattle, WA 98104
206/521-9000
Tracking #: 3531062



2009 年 12 月 25 日

Subj: **GALLAGHER- 05 10612 Exhibit D**
 Date: 5/18/05 9:43:44 A.M. Eastern Daylight Time
 From: Revdrbob
 To: USDC-BostonInfo@mad.uscourts.gov
 CC: ECFhelp@mad.uscourts.gov

U.S. DISTRICT COURT DISTRICT OF MASSACHUSETTS	
ROBERT J. GALLAGHER Plaintiff/Petitioner	Cause No. 05 10612 DPW
vs. NEWPHARMNET RALPHJORDAN@NEWPHARMNET Defendant/Respondent	Declaration of Service of SUMMONS IN A CIVIL CASE COMPLAINT
Hearing Date:	
<p>Declaration</p> <p>The undersigned hereby declares that s/he is now and at all times herein mentioned, a citizen of the United States and a age of eighteen, not an officer of a plaintiff corporation, not a party to the litigation in the above captioned cause. On the date and time of May 2 2005 3:06PM at the address of _____ within the County of _____ State of _____ the declarant duly sworn NEWPHARMNET AND RALPHJORDAN@NEWPHARMNET by then and there personally delivering a true and and leaving the same with VIA E MAIL TO THE FOLLOWING ADDRESSES: RALPHJORDAN@NEWPHARMNET CIVIL@WALLCANN.COM APT 14750 NEWPHARMNET IN IRVING WALLCANN.COM MELISSA@WAL</p> <p>No information was provided that indicates that the subjects served are members of the U.S. military.</p>	
<p>I hereby declare under penalty of perjury under the laws of the State of Massachusetts that the foregoing is true and correct.</p> <p>Dated: May 2, 2005 at Somerville, MA</p> <p>by  R. J. Gallagher KCRMS20050504</p> <p>Service Fee Total \$ 250.00</p>	
ABC Legal Services, Inc. (206) 474-9800 Tracking #: 3531032 	ORIGINAL PROOF OF SERVICE _____ _____
Confidential (Unknown) (Unknown) 05 10612 000 000 0000	

Subj: **GALLAGHER- 05 10612 Exhibit E- The Court's Recent and Only Order on Motion**
Date: 5/18/05 9:46:51 A.M. Eastern Daylight Time
From: Revdrbob
To: USDC-BostonInfo@mad.uscourts.gov
CC: ECFhelp@mad.uscourts.gov

made1

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Orders on Motions

1:05-cv-10612-DPW *Gallagher v. Citizens Bank of Massachusetts*

United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was received from Ryane, Michelle entered on 5/10/2005 at 3:49 PM EDT and filed on 5/10/2005

Case Name: Gallagher v. Citizens Bank of Massachusetts

Case Number: 1:05-cv-10612

Filed:

Document Number:

Docket Text:

Judge Douglas P. Woodlock : Electronic ORDER entered denying (4) Motion Subsequent to Instance of Summons. DENIED, the relief sought by plaintiff will only be considered if sought in compliance with relevant rules for service of process and amendment of complaint. (Ryane, Michelle)

The following document(s) are associated with this transaction:

1:05-cv-10612 Notice will be electronically mailed to:

1:05-cv-10612 Notice will not be electronically mailed to:

Robert J. Gallagher
688 Boston Post Rd e-mail-103
Marlborough, MA 01752

MAJUSCUL. L.

<https://ecf.mad.cba1.fedex-bi-bin/Dispatch.pl?12050948063505>

05/10/2005